

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:
Ketan Shah
Debtor



Order Filed on July 10, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case Number: 20-12260-MBK

Chapter 13

Hearing: July 14, 2020 at 10:00 a.m.

Judge: Michael B. Kaplan

**ORDER APPROVING STIPULATION/CONSENT ORDER RESOLVING OBJECTION
OF WINDSOR PARK ASSET HOLDING TRUST TO CONFIRMATION OF DEBTOR'S
CHAPTER 13 PLAN WITH RESPECT TO REAL PROPERTY LOCATED AT 2184 BRADEN
CT, TOMS RIVER, NJ 08755**

The relief set forth on the following pages, numbered one (1) through two (2) is hereby
ORDERED.

DATED: July 10, 2020

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

(page 2)

Debtor: Ketan Shah

Case Number: 20-12260-MBK

Caption of Order: Order Resolving Objection of Windsor Park Asset Holding Trust to Confirmation of Chapter 13 Plan (and other relief)

Upon the Chapter 13 Plan filed by Debtor on March 10, 2020 at docket entry #10, and the Objection to Plan filed by Windsor Park Asset Holding Trust ("Creditor") on March 24, 2020 at docket entry #14, it is hereby ORDERED as follows:

1. This Order Shall be incorporated in and become a part of any Order Confirming a Chapter 13 Plan in this matter.
2. Debtor shall submit a complete loss mitigation application to Creditor by July 15, 2020. A failure by Debtor to submit to Creditor a full and complete loan modification application shall constitute a default under this Order. Creditor may certify this default to the Court.
3. Debtor shall pay adequate protection payments of \$2,562.31 a month to Creditor beginning June 1, 2020 pending application for a loan modification. These payments shall be due by the 1st of the month. Debtor shall have ten (10) days from the entry of this Order to make all payments due. A failure by Debtor to make an adequate protection payment on or before its due date shall constitute a default under this Order.
4. In addition, Debtor shall pay Creditor \$48,427.44 through the Chapter 13 Plan pending application for a loan modification.
5. If Creditor determines that Debtor is eligible for a trial loan modification, or a similar outcome, Debtor must ensure Creditor receives each required payment on or before the date the payment is due. A failure by Debtor to provide such required payment when due shall constitute a default under this Order. Creditor may certify this default to the Court.
6. In the event Debtor is offered a permanent and/or final loan modification agreement, Debtor is responsible for obtaining Court approval of any such agreement.
7. If Debtor is denied for a loan modification and/or other similar offer of resolution, and/or rejects or fails to accept a trial modification offer or final or permanent modification offer, this shall constitute a default under this Order. Creditor may certify this default to the Court.
8. All payments due to Creditor from Debtor are to be made directly to Creditor at the payment address set forth in Claim 2-1, making sure that the loan number appears on all payments.
9. If Debtor defaults under the terms of this Order, then Creditor may file a Certificate of

Default with the Court, with notice to Debtor and Debtor's Counsel, and shall obtain relief from the automatic stay of 11 U.S.C. § 362(a) as to the real property located at 2184 Braden Ct, Toms River, NJ 08755.

10. The failure by Creditor, at any time, to file a Certification of Default upon default by Debtor shall not be construed as a waiver of any of Creditor's rights hereunder.
11. Facsimile signatures shall be as valid as original signatures and this Consent Order/Stipulation may be signed in counterparts.
12. By signing this Stipulation/Consent Order, Debtor's Counsel represents that Debtor is familiar with and understands the terms of the Stipulation/Consent Order and agrees to its terms regardless of whether Debtor actually signed the Stipulation/Consent Order. Seen and agreed by the parties on the date set forth.

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